IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 70914-M of 2006

DATE OF DECISION : 14.11.2006

Sadha Singh

.... PETITIONER

Versus

State of Punjab and others

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. G.S. Kaura, Advocate,
for the petitioner.

* * *

Petitioner Sadha Singh has filed this petition under Section 482 of the Code of Criminal Procedure for issuing direction to respondents No.1 to 3 to arrest respondent No.4 in case FIR No. 217 dated 2.8.2006 under Sections 307/323/506/148/149 IPC and Section 27/54/59 of the Arms Act, registered at Police Station Samana, District Patiala.

I have heard counsel for the petitioner.

The aforesaid FIR was registered on 2.8.2006. I am of the opinion that it is for the police to see whether the accused is to be arrest or not, because this decision is to be taken by the police, which is within the domain of the police and in view of the decision of the Supreme Court in M.C. Abraham and another versus State of Maharashtra and others, (2003) 2 SCC 649, no such direction can be issued by this Court.

Dismissed.

However, the investigating agency is directed to expedite the investigation.

November 14, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**